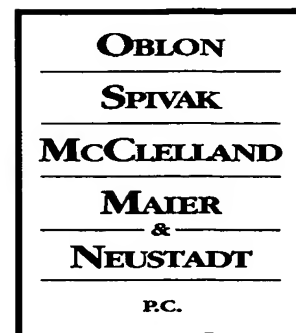




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Docket No.: 219413US0X PCT

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313



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RE: Application Serial No.: 10/069,565

Applicants: Herve CHOLLET, et al.

Filing Date: February 27, 2002

For: METHOD AND INSTALLATION FOR REMOVAL
OF METAL CATIONS FROM A LIQUID BY RESINS
WITH POLYAZACYCLOALKANES GRAFTED ON
A SUPPORT

Group Art Unit: 1724

Examiner: CINTINS, I.C.

SIR:

Attached hereto for filing are the following papers:

Letter to Examiner (3 pp.)

Our check in the amount of \$0.00 is attached covering any required fees. In the event any variance exists between the amount enclosed and the Patent Office charges for filing the above-noted documents, including any fees required under 37 C.F.R. 1.136 for any necessary Extension of Time to make the filing of the attached documents timely, please charge or credit the difference to our Deposit Account No. 15-0030. Further, if these papers are not considered timely filed, then a petition is hereby made under 37 C.F.R. 1.136 for the necessary extension of time. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.

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DOCKET NO: 219413US0X PCT



IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF :
HERVE CHOLLET, ET AL. : EXAMINER: CINTINS, I.
SERIAL NO: 10/069,565 :
FILED: FEBRUARY 27, 2002 : GROUP ART UNIT: 1724
FOR: METHOD AND INSTALLATION :
FOR REMOVAL OF METAL CATIONS
FROM A LIQUID BY RESINS WITH
POLYAZACYCLOALKANES GRAFTED
ON A SUPPORT

LETTER TO EXAMINER

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313

SIR:

Further to the Amendment and Request for Reconsideration filed on September 24, 2004 and a discussion with the Examiner of October 5, 2004 Applicants submit the following comments for the Examiner's consideration.

Applicants submit that the invention of independent Claim 33 is not obvious and is therefore patentable over the prior art of record.

Independent Claim 33 is drawn to an "installation for removal of metal cations contained in a liquid". Applicants submit those of ordinary skill in the art would not turn to any conditioning technique or apparatus as a way to condition the resin of the claimed installation where the condition would be contradictory to the stated purpose of the claimed invention, namely, "removal of metal cations contained in a liquid". The Office has cited prior art reference against the claims of the present specification. The Examiner has asserted

that the acid treatment with 2N nitric acid disclosed in the prior art would render obvious the conditioning structure of an installation for removal of metal cations.

Applicants traverse the rejection on the grounds that those of ordinary skill in the art may not view of 2N nitric acid solution as a realistic means for conditioning a chelating ion exchange resin. For example, concentrated acids such as 2N nitric acid are recognized by those of ordinary skill in the art to be effective at dissolving material such as metals and dissolving impurities from glass containers and/or plastics. A nitric acid solution such as that used in the prior art reference may be an affective way to regenerate a chelating ion exchange resin; however, Applicants submit that a concentrated nitric acid solution would not be acceptable means of conditioning a resin for an installation “for removal of metal cations”.

Applicants submit that those of ordinary skill in the art may believe that a concentrated nitric acid solution may have a tendency to increase the amount of metal cations in a system through the strongly oxidizing and dissolving effect of the concentrated acid on metals.

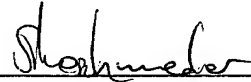
In fact, the continued contact of concentrated nitric acid with a chelating ion exchange resin may lead to a decay in the chelating ion exchange resin performance due to oxidation of the organic material with the concentrated nitric acid.

Applicants therefore submit that those of ordinary skill in the art would not view an installation for the removal of metal cations that has a means for conditioning resin at a pH of 4 to 6 as obvious in view of a prior art method that includes regenerating a column containing a chelating ion exchange resin with a concentrated acid.

Applicants respectfully request the Examiner consider the remarks herein and contact the Applicants' U.S. representative should there a need for further communication with regards to obtaining an allowance of acceptable claim language.

Respectfully submitted,

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